

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
FRANCESCO GALLO,

Plaintiff,

-against-

ALITALIA – LINEE AEREE ITALIANE –
SOCIETA PER AZIONI, PIERANDREA GALLI,
and GIULIO LIBUTTI,

Defendants.

Case No. 07 CV 06418 (CM)(HP)

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE THAT, upon the Amended Complaint of plaintiff Francesco Gallo (Exhibit 1 hereto), Defendants' Answer (Exhibit 2 hereto), Defendants' Joint Statement of Uncontested Material Facts, the Affirmation of Alan M. Koral in Support of Defendants' Motion for Summary Judgment, and the Memorandum of Law of Defendants Pierandrea Galli and Giulio Libutti in Support of Defendants' Motion for Summary Judgment, defendants Pierandrea Galli ("Galli") and Giulio Libutti ("Libutti")(collectively, the "Individual Defendants"), by their attorneys, Vedder Price P.C., will move this Court at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, Courtroom 21B, at a date and time to be determined by the Court, for an order pursuant to FRCP 56(b), granting summary judgment in favor of the Individual Defendants on the grounds that Plaintiff fails to state a claim against them, and for such other and further relief as the Court may deem just and proper.²

² Defendant Alitalia is simultaneously submitting its own separate motion for summary judgment.

PLEASE TAKE FURTHER NOTICE that, pursuant to Judge McMahon's Individual Practices, opposing papers, if any, must be served on the undersigned no later than fourteen days after receipt of this motion.

Dated: New York, New York
April 28, 2008

VEDDER PRICE P.C.

By: /s/ Alan M. Koral

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